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PATENT

Attorney Docket No.: A-64077-2/467135-00156/RFT/NBC  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

application of: Reddy et al.

Examiner: W. Sandals

Group Art Unit: 1636

Serial No. 09/434,196

Filed: November 4, 1999

For: *Compositions and Methods  
Using Eukaryotic RAD52*

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date: August 14, 2002

Signed:

Wendy Wilson

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR § 1.137(b)**

Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

Sir:

The above-identified application became abandoned for failure to timely file a Notice of Appeal on June 18, 2002 with the Patent and Trademark Office, in the above-referenced matter. The entire delay in filing the required Notice of Appeal (with an additional request for a third month extension) beginning on the June 18, 2002 final due date for the notice of appeal and continuing until the filing of this grantable petition under 37 CFR 1.137(b), was unintentional.

The application, which is now the subject of this petition, has been abandoned since June 18, 2002.

Accordingly, Applicant hereby petitions for revival of the above-identified application due to the unintentional abandonment of the application under 37 CFR § 1.37(b).

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OFFICE OF PETITIONS

Serial No.: 9/434,15  
Filed: November 4, 1999

Applicant submits the following fees and papers in connection with the Petition to Revive:

- (1) a petition to revive unintentionally abandoned application small entity fee (\$640.00);
- (2) a petition for a three month extension;
- (3) a petition for a three month extension small entity fee (\$460.00)
- (4) a Notice of Appeal; and
- (5) a Notice of Appeal small entity fee (\$160.00).

#### CONCLUSION

Applicant respectfully requests consideration of this Petition for Revival under 37 CRF 1.137(b).

If the Commissioner has further unresolved issues after considering this petition, the Commissioner is respectfully requested to phone the undersigned attorney.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 06-1300 (A-64077-2/RFT/NBC).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: August 14, 2002

  
Richard F. Trecartin, Reg. No. 31,801

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